United Nations A/AC.154/389

General Assembly

Distr.: General
12 March 2010

Original: English

Committee on Relations with the Host Country

Letter dated 12 March 2010 from the Permanent Representative of Cuba to the United Nations addressed to the Chairman of the Committee

I have the honour to attach herewith a copy of a note verbale dated 1 March 2010, addressed to the Permanent Mission of the United States to the United Nations (see annex), and kindly request you to circulate it as a document of the Committee on Relations with the Host Country.

(*Signed*) Pedro **Núñez Mosquera**
Ambassador
Permanent Representative of Cuba to the United Nations

10-27200 (E) 170310

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Annex to the letter dated 12 March 2010 from the Permanent Representative of Cuba to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Cuba to the United Nations presents its compliments to the United States Mission to the United Nations and has the honour to refer to the dangerous and provocative incident caused by a group of persons in front of the Mission of Cuba on Sunday 28 February 2010.

At 13:20, a group of around 30 persons arrived at the main entrance of the Mission and began to make a lot of noise, shouting offensive and insulting slogans and making threatening gestures, and placed numerous offensive posters at the main entrance of the Mission and exterior windows on Lexington Avenue.

The group remained at the main entrance for some time, thus blocking the free passage of our personnel, interfering in the performance of the Mission, and creating all conditions to escalate the situation into a violent physical confrontation.

At 13:30, the New York police arrived at the site and requested the provocative persons to leave the front of the Mission. Some of them continued moving around the Mission for some time, shouting insulting slogans and filming and photographing the Mission and its staff. The New York police cars left at about 13:50.

The Mission of Cuba strongly denounces this hostile and illegal act, which was a flagrant violation of the procedures established in the United States Mission's note No. HC-33-95 of 9 June 1995 aiming to eliminate potential clashes and conditions considered as interference with the performance of the functions of the Mission of Cuba.

Actions of this nature endanger the security of the Mission and Cuban officials and impede the normal performance of the functions of this Diplomatic Mission.

The hostile incident that occurred yesterday is not at all an isolated one. For many years, the Mission of Cuba has been informing the United States Mission about many hostile actions perpetrated against the premises of the Mission and its staff, including repeated incidents, some of them very violent in nature, at the entrance door of the Mission.

There are many terrorists and criminals of Cuban origin settled in the United States who constitute a threat to the facilities and personnel of the Cuban Mission.

The decision taken in November 2007 by the Diplomatic Security Service and the New York Police Department to unilaterally remove the police protection from the Mission not only facilitates but is also an incentive for such hostile and provocative activities against the Mission.

In several previous notes, the Mission of Cuba has conveyed to the United States Mission its concerns with regard to the unilateral removal of police protection from the Mission.

The Permanent Mission of Cuba wishes to stress the responsibility of the United States authorities regarding the security and protection of Diplomatic Missions, including the Mission of Cuba, and requests the United States Mission to

take all necessary steps with the relevant authorities to prevent the repetition of such dangerous actions as that mentioned above.

The Mission of Cuba demands that the United States authorities guarantee the security and physical integrity of the Mission and its staff, and that the Host Country strictly abides by the Headquarters Agreement signed between the United States Government and the United Nations and by the Vienna Convention on Diplomatic Relations of 18 April 1961, which establishes that "The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity".

United Nations A/AC.154/390

General Assembly

Distr.: General
23 March 2010

Original: English

Committee on Relations with the Host Country

Letter dated 17 March 2010 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

I have the honour to transmit a copy of a note verbale dated 17 March 2010 (see annex) that has been sent by the United States Mission to the United Nations to the Permanent Mission of Cuba to the United Nations as a response to its note of 1 March 2010 (see A/AC.154/389, annex) regarding a spontaneous demonstration at that Mission's premises.

I request that you circulate the attached diplomatic note as a document of the Committee on Relations with the Host Country.

(*Signed*) Russell F. **Graham**
Minister Counsellor for Host Country Affairs

10-29128 (E) 260310

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Annex to the letter dated 17 March 2010 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

The United States Mission to the United Nations presents its compliments to the Permanent Mission of Cuba to the United Nations and wishes to address its concerns about the demonstration which occurred in front of the Mission on Sunday, 28 February. The United States Mission deeply regrets any inconvenience which resulted from this incident. The United States Mission understands, however, that the New York City Police Department responded within 10 minutes to a call about this incident, and moved the demonstrators to a more suitable location that was across the street and away from the entrance to the Permanent Mission.

The United States takes its responsibilities seriously under both the United Nations Headquarters Agreement and the Vienna Convention on Diplomatic Relations regarding the need to protect the security of foreign missions to the United Nations. Spontaneous demonstrations occur and are legal under local law, but the United States Mission believes that the New York City Police Department responds to incidents involving diplomatic missions to the United Nations as quickly and forcefully as it is able in order to manage demonstrations appropriately and in accordance with law. Furthermore, the Department of State's Diplomatic Security Service New York Field Office will continue to work with the New York City Police Department to ensure that an adequate level of protection is provided to the Permanent Mission of Cuba to the United Nations and its personnel.

United Nations A/AC.154/391

General Assembly

Distr.: General
25 March 2010

Original: English

Committee on Relations with the Host Country

Letter dated 22 March 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee

I have the honour to attach herewith a copy of the note verbale dated 22 March 2010, addressed to the United States Mission to the United Nations (see annex), related to new dangerous and provocative incidents that endanger the security of the Permanent Mission of Cuba and its staff and impede the normal performance of the functions of the Mission of Cuba.

I request you kindly to circulate this letter and its attachment as a document of the Committee on Relations with the Host Country.

(Signed) Rodolfo **Benitez Verson**
Ambassador
Chargé d'affaires a.i. of Cuba to the United Nations

10-29293 (E) 260310

Please recycle

Annex to the letter dated 22 March 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Cuba to the United Nations presents its compliments to the United States Mission to the United Nations and has the honour to refer to two new dangerous and provocative incidents caused by a group of persons in front of the Mission of Cuba on Thursday, 18 March 2010.

It is a matter of great concern that the new incidents took place less than 20 days after a similar one occurred, as denounced by the Mission of Cuba in its note dated 1 March 2010, addressed to the United States Mission.

On 18 March, at 17:35, a group of around 15 to 20 persons arrived at the main entrance of the Mission of Cuba and began to make a lot of noise, shouting offensive and insulting slogans, making threatening gestures, and urging the staff of the Cuban Mission to come outside for physical confrontation. This time, they not only placed numerous offensive posters at the main entrance of the Mission and exterior windows on Lexington Avenue, but also tried to introduce objects inside the Mission, seriously compromising the security of the Mission.

The group remained at the main entrance of the Mission for nearly 20 minutes, thus blocking the free passage of Cuban personnel and interfering in the performance of the Mission, at hours when the Cuban diplomatic staff is returning to the Mission's building, after working in the United Nations Headquarters, or leaving to go home.

At 17:54, the New York police arrived and left the site at 18:10, 17 minutes later, despite the fact that at that time there was still some members of the provocative group in the surroundings of the Mission, who left only at 18:26.

The second incident occurred that day at 20:10, when the same group again blocked the entrance of the Mission. On this occasion, apart from interrupting once again the normal functioning of the Mission, and the work of the staff by making a lot of noise, shouting offensive and insulting slogans and making threatening gestures, they placed, for around half an hour, a projector pointing a powerful light at the walls and the windows of the apartments and offices of the Mission.

This time, the New York police only arrived at the place around 10 minutes after the incident was over, at 20:35, despite having been informed about it immediately.

The Permanent Mission of Cuba wishes to stress once more that these hostile actions constitute flagrant violations of the procedures established in the United States Mission's note of 9 June 1995 aiming to eliminate potential clashes and conditions considered as interference with the performance of the functions of the Mission of Cuba.

As the United States Government knows, many well-known terrorists and criminals of Cuban origin walk freely in its streets. This situation and the failure of the United States authorities to comply with their responsibilities to properly protect the diplomatic personnel accredited in this country endanger the security of the Mission of Cuba and its staff and impede the normal performance of the functions of the Mission.

The Mission of Cuba reiterates that the dangerous incidents that occurred both on 28 February and 18 March 2010 are not at all isolated, and that the unilateral decision taken in November 2007 by the United States authorities of removing the police protection from the Mission not only facilitates but also encourages such illegal and hostile activities against the Mission and its staff.

The United States Government will be solely responsible for any violent incident resulting from the impunity with which it allows violent groups to threaten the security of the Mission of Cuba. The United States, in its capacity as Host Country of the United Nations, must strictly abide by the Vienna Convention on Diplomatic Relations of 18 April 1961 and the Headquarters Agreement between the United States and the United Nations, as well as to adopt measures deriving from its own legislation against these violent individuals.

The Mission of Cuba once again demands that the United States authorities guarantee the security and physical integrity of the Mission of Cuba and its staff.

The Mission of Cuba requests the United States Mission to inform at the earliest possible time about the measures taken or to be taken by the United States authorities in order to comply with their obligations.

United Nations A/AC.154/392

General Assembly

Distr.: General
16 April 2010

Original: English

Committee on Relations with the Host Country

Letter dated 8 April 2010 from the Permanent Representative of Cuba to the United Nations addressed to the Chairman of the Committee

I have the honour to attach herewith a copy of note verbale No. 171, dated 5 April 2010, addressed to the Permanent Mission of the United States to the United Nations (see annex), and kindly request that you circulate it as an official document of the Committee on Relations with the Host Country.

(*Signed*) Pedro **Núñez Mosquera**
Ambassador
Permanent Representative of Cuba to the United Nations

10-31876 (E) 190410

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Annex to the letter dated 8 April 2010 from the Permanent Representative of Cuba to the United Nations addressed to the Chairman of the Committee

MISION PERMANENTE DE CUBA
ANTE LAS NACIONES UNIDAS
315 LEXINGTON AVENUE
NEW YORK, N.Y. 10016

NV - 171

The Permanent Mission of Cuba to the United Nations presents its compliments to the United States Mission to the United Nations, and with reference to the latter's Note HC-33-10, dated 17 March 2010, in response to the Note 110 of the Mission of Cuba, dated 1 March 2010, considers necessary to convey some considerations.

The Permanent Mission of Cuba considers the reply by the United States Mission in its Note of reference is not only completely insufficient and unsatisfactory but also increases even more the concerns of Cuba.

It is inexplicable that in its response the United States Mission does not even refer to and totally disregards the procedures established in the United States Mission's note HC-33-95 of 9 June 1995 aiming to eliminate potential clashes and conditions considered as interference with the performance of the functions of the Mission of Cuba.

Such unjustifiable omission is of greater concern taking into account that the incident occurred on 28 February and the successive ones have had a common factor: the flagrant violation of the abovementioned procedures by agitators who act with impunity against the Mission of Cuba.

It is unacceptable that the United States Mission tries to justify the actions of the authorities of its country, claiming the New York Police Department responded in 10 minutes to a call about the incident occurred on 28 February.

Beyond the time taken to respond to these incidents, the major responsibility of US authorities in discharging their duties is to take all necessary measures to prevent these serious incidents from taking place.

As long as measures are not taken to prevent this sort of aggressive actions, the physical integrity of the Mission and the safety of its diplomatic staff will not be guaranteed and the normal performance of the diplomatic functions of the Permanent Mission of Cuba will continue to be hindered.

The legitimate character of the concerns conveyed by Cuba has been regrettably proved enough by the successive similar grave incidents that have been taking place in front of the Mission of Cuba in the last weeks.

The Mission of Cuba once again demands that the United States authorities guarantee the security and physical integrity of the Mission of Cuba and its staff, in accordance with their obligations.

The Permanent Mission of Cuba to the United Nations avails itself of this opportunity to renew to the United States Mission to the United Nations the assurances of its consideration.

New York, 5 April, 2010

To the United States Mission
to the United Nations
New York

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